

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

MICHIGAN REGIONAL COUNCIL OF  
CARPENTERS' EMPLOYEE BENEFITS  
FUND, et al.,

Plaintiffs,

Case No. 24-cv-10907  
Hon. Matthew F. Leitman

v.

MICHIGAN STUDS AND  
WALLS, LLC, et al.

Defendants.

---

NOVARA TESIJA CATENACCI  
McDonald & Baas, PLLC  
Bryan M. Beckerman (P51925)  
Attorney for Plaintiffs  
888 W. Big Beaver Rd., Suite 600  
Troy, MI 48084  
(248) 354-0380  
bmb@novaralaw.com

Kevin Cox  
Defendant, In Pro Per  
3476 Gettysburg Road  
Ann Arbor, MI 48105  
kevin@msawllc.com

---

**ORDER FOR DEFAULT JUDGMENT**

THIS MATTER CAME before the Honorable Court on Plaintiffs' Motion for the Entry of a Default Judgment. The Court, being fully advised in the premises, finds that:

1. The Summons and Complaint was served on Defendant Michigan Studs and Walls, LLC ("MSW") and Defendant Kevin Cox ("Cox") on

April 11, 2024. The proof of service is on file with the Court (**ECF Nos. 6 and 7**).

2. Defendants did not file an answer or take any other action to defend themselves within 21 days following the service of process.
3. A Clerk's Entry of Default was entered against Defendant Cox on May 21, 2024 (**ECF No. 9**) and Defendant Michigan Studs and Walls, LLC on May 31, 2024 (**ECF No. 11**).

**ACCORDINGLY, IT IS HEREBY ORDERED** that

- A. Defendants submit to an audit of their books and records within thirty (30) days of the date of this Order for Default Judgment;
- B. Judgment be entered in Plaintiffs' favor against both Defendants Michigan Studs and Walls, LLC and Kevin Cox in an amount to be determined by said audit, for all unpaid fringe benefit contributions, together with liquidated damages thereon, accumulated interest, actual attorney fees, court costs and any other such sums as the Court may deem just and equitable. Additionally, Plaintiffs shall, upon filing a copy of the auditor's report and the appropriate affidavit(s) of a person (or persons) with knowledge, have amended judgment against the Defendants for all contribution amounts as are found to be due upon an audit, as well as interest thereon, at the rate of 10% per annum from the due date of the paid

contributions, liquidated damages at the rate of 12% of all delinquent amounts pursuant to Plaintiffs' resolutions, policies and procedures, and the provisions of the parties' collective bargaining agreement, as well as costs of the audit and statutory attorney fees, all pursuant to 29 U.S.C. 1132(g)(2).

**IT IS FURTHER ORDERED** that this Honorable Court shall retain jurisdiction of this matter pending satisfaction of this judgment and/or compliance with any additional orders.

**IT IS SO ORDERED.**

s/Matthew F. Leitman

MATTHEW F. LEITMAN

UNITED STATES DISTRICT JUDGE

Dated: June 26, 2024

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on June 26, 2024, by electronic means and/or ordinary mail.

s/Holly A. Ryan

Case Manager

(313) 234-5126